

D A C #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GOLAN et al

Serial No. 09/463,726

(PCT/IL98/00354)

Filed:

For: ADHESIVE COMPOSITION FOR ELECTRICAL PTC
HEATING DEVICE



Atty. Ref.: 2111-11

Group:

Examiner:

RECEIVED

30 MAR 2000

Legal Staff
International Division

Assistant Commissioner for Patents
Washington, DC 20231

March 27, 2000

RECEIVED

MAR 29 2000

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Sir:

**PETITION/REQUEST FOR WITHDRAWAL
OF ERRONEOUS NOTIFICATION OF ABANDONMENT**

The Notification of Abandonment dated 03/17/00 is in error.

First of all, the applicant's Israeli attorney advises that the IPEA/US mis-handled the applicants' Chapter II Demand. Apparently someone at the IPEA/US has now recognized that applicants' Chapter II Demand was timely filed before the expiration of nineteen months from the priority date (i.e., before March 1, 1999) and that they are endeavoring to correct the error. However, in the meantime, the International Bureau and the National Designated Offices have been provided mis-information concerning the applicants' Chapter II Demand.

Secondly, the Notification of Abandonment indicates that applicants have failed to provide the full US basic National fee within twenty months. However, since this is appropriately filed under Chapter II, the basic national fee (paid by the undersigned on

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345.00 CH

#412828 v1 - 2111-11.petition/request

GOLAN et al

Serial No. 09/473,726

(PCT/IL98/00354)

behalf of the applicants on January 31, 2000) was only required within thirty months of applicants' priority date (i.e., by February 1, 2000). A true copy of the USPTO postcard receipt acknowledging receipt of applicants' US basic national fee on January 31, 2000 is attached.

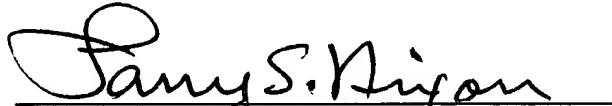
Accordingly, the USPTO is respectfully requested to research this matter and to correct appropriate USPTO records and to withdraw the outstanding Notification of Abandonment as soon as possible.

Any petition fee or other fee required for consideration and granting of this petition/request may be charged to our Deposit Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Larry S. Nixon

Reg. No. 25,640

LSN:vc

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11/11
09/463726



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
BOX PCT
Washington, D.C. 20231

US APPLICATION NO.	GOLAN	FIRST NAMED APPLICANT	TELE. NO.	ATTY. DOCKET NO.
09/463726				

NIXON & VANDERHYE
1100 NORTH GLEBE ROAD
8TH FLOOR
ARLINGTON VA 22201



INTERNATIONAL APPLICATION NO.

03/17/00

DATE MAILED:

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as
 a Designated Office (37 CFR 1.494), an Elected Office (37 CFR 1.495), has made the following determination:

1. Applicant's letter of express abandonment received _____ is in compliance with 37 CFR 1.138 and is hereby acknowledged.
2. Applicant has failed to provide the full U. S. Basic National Fee by 20 months (37 CFR 1.494 (b)(2)), 30 months (37 CFR 1.495 (b)(2)).
3. Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed _____ within the time period set therein.
4. Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed _____ within the time period set therein. See the attached NOTIFICATION OF A DEFECTIVE RESPONSE (Form PCT/DO/EO/916).
5. Other:

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.494, 1.495 and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

MAR 29 2000

John Anderson
Telephone: (703) 308-9116

* The election was not made before the expiration of 19 months from the priority date.

FORM PCT/DO/EO/909 (May 1993)

DATES DOCKETED
File Pet
41700

100-50-800

#3

INITIAL SCREENING OF INCOMING PAPERS CHECKLIST

Reviewer: Bell-Harris Date: 3/29/00

APPLICATION NO. 09/463,726

1. Petition Type(s)(i.e., 137(b); 137(a))

183

Code(s) (502, 501, 503, etc.)

S03 (3/27/00)

NOTE: Petitions to Expedite require prompt attention and should be brought to the appropriate deciding official's attention.

2. List Papers to be entered on contents of file jacket filed with petition:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

3. Application number on petition agrees with applicant and/or title of invention (this can be verified on PALM or on Netscape) yes _____ no. If application number is not correct, indicate correct application no. _____ and correct on petition/papers filed.

4. Is paper a petition to withdraw holding of abandonment: yes _____ no
If so, send paper and/or file to appropriate location (*Note: remove any flag set first*):

(Circle appropriate)

- a. Nonreceipt of action from TC or assertion that reply was timely filed:

Send paper to TC _____

- b. Nonreceipt of Missing Parts Notice or assertion that reply was timely filed:

Send paper to OIPE-Betty Robinson -CP2-7D25 (PH: 308-0910)

- c: Assertion of timely payment of issue fee and/or submission of drawings:

Send petition to Office of Publications: ATTN: Tom Hawkins

- d. Other _____

5. Information Disclosure Statement:

- a. Is file in the Office of Petitions? yes (if yes, match paper with file)
 no (send paper to file location)

6. Other: Send to PCT Legal

If not handled in Office of Petitions, send paper to appropriate location.

7. Is petition accompanied by assignment papers, fee address, or other paper which needs to be sent to another location? yes no

If so, make copy of assignment papers, fee address, or other paper; mail original to proper location and place copy in file with an indication that the original paper(s) has been forwarded to the appropriate location (Assignment Branch; Maintenance Fee Division, etc.)

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Transmittal National Phase

Serial No.: PCT/IL98/00354

Atty: LSN

Applicant: Golani et al

Date: 1-31-00

Title: Adhesive Composition
for Electrical PTC
Hearing Device

Client: D2111

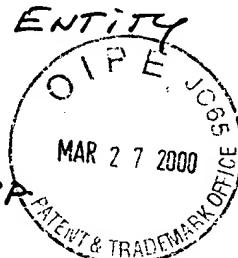
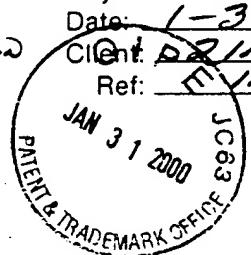
Ref: FV

Amendment
 Pages Specification
 Claims
 Sheets Drawings: Formal
 Informal

Declaration (Pages) SMALL ENTITY
 Assignment
 Priority Document
 Base Issue Fee Transmittal
113.00 Fee (Check)

Other: (1) Copy of Published PCT APP
 WO99/06496

(2) PTO-1449 & ISR



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